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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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08/02/2001

Maurice F. Rabb III

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03/03/2004

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EXAMINER

NGUYEN, KIMBINH T

ART UNIT

PAPER NUMBER

2671

DATE MAILED: 03/03/2004

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Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

**Application No.**

09/922,498

**Applicant(s)**

RABB, MAURICE F.

**Examiner**

Kimbinh T. Nguyen

**Art Unit**

2671

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 02 August 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-42 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-42 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date <u>4</u> . | 6) <input type="checkbox"/> Other: _____  |

### DETAILED ACTION

1. Claims 1-42 are pending in the application.

#### ***Claim Objections***

2. Claims 4 and 16 are objected to because of the following informalities: typing errors: claim 4, line 1, replacing "claim 4" by --claim 1--; claim 16, line 1; replacing "an" by --a--. Appropriate correction is required.

#### ***Claim Rejections - 35 USC § 102***

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

4. Claims 1, 6-8, 18 and 22 are rejected under 35 U.S.C. 102(b) as being anticipated by Cohen et al. (5,353,391).

**Claim 1**, Cohen et al. teaches receiving a source value from a source value set the source value set comprising a plurality of source values (source 401 and source 402; fig. 4; col. 9, lines 6-8); receiving a destination value from a destination value set (a desired transition sequence 404), the destination value set comprising a plurality of destination values (the transition template 403); generating a unique transition sequence (generating a transition (transition template) between a first and sequence of image; see abstract) as a function of the source value having been received, and the

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destination value having been received (the first portion of the first image having a duration time less than or equal to the duration of the transition; the second portion of the second image having a duration time less than or equal to the duration of the transition; and the transition template is used to determine which portions of the first and second source images or both to be displayed in the third image; see abstract).

**Claim 6**, Cohen discloses displaying an image representing a source value (source image 401); displaying an image representing a destination value (transition sequence 404); and displaying a transition image; wherein the transition image is a function of the source value and the destination value (transition template 403; fog. 4).

**Claim 7**, Cohen discloses selecting a transition style (selecting the desired first and second sequences of images; col. 9, lines 42-43).

**Claim 8**, Cohen teaches displaying a plurality of transition images (transition template 403; fig. 4).

**Claim 18**, Cohen teaches a memory (main memory 304; col. 6, lines 64-65); wherein the memory contains code configured (software code section; col. 5, line 68) to provide a transition from a source value to a destination value; wherein the transition is a function of the source value and the destination value (col. 4, lines 39-63).

**Claim 22**, the rationale provided in the rejection of claim 1 is incorporated herein.

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

5. Claims 27-32 are rejected under 35 U.S.C. 102(e) as being anticipated by Browne et al. (6,504,545).

**Claim 27**, Browne et al. displaying a first glyph, the first glyph comprising a plurality of sub Glyphs (fig. 1); manipulating the sub-glyphs (col. 10, lines 19-23); and displaying a second glyph (fig. 6).

**Claims 28 and 29**, Browne et al. teaches increasing, decreasing a number of the sub-glyphs (shrinking or expanding of sub-glyph elements; col. 10, lines 20-23).

**Claim 30**, Browne et al. teaches the manipulating is a function of the first glyph and the second glyph (a first predetermined function, a second predetermined function applied to the glyph to generate a modified glyph; see abstract) .

**Claim 31**, Browne et al. teaches the first glyph has a plurality of properties (col. 5, lines 9-37).

**Claim 32**, Browne et al. teaches the sub-glyphs inherit the plurality of properties from the first glyph (a sub-glyph is a graphical object that forms part of a glyph; col. 7, lines 59-60).

6. Claims 33-35, 37-42 are rejected under 35 U.S.C. 102(e) as being anticipated by Neill (6,411,338).

**Claims 33, 35**, Neill teaches generating a source value, a multiplicity of source values (the first image is an array of DRCs); generating a multiplicity of destination values (the final images as a set of DRCs); and generating a different transition from the source value to each of the destination values (calculating the difference between the previous image and the new image; figs. 10a and 10b).

**Claim 34**, Neill teaches the different transition is a function of the source value and one of destination values (col. 8, lines 36-39).

**Claim 37**, Neill teaches the source image is a function of the source value the first image as a set of DRCS definitions; fig. 10a); wherein the destination image is a function of one of the destination values (the final image as a set of DRCS definitions; fig. 10b).

**Claims 38-40**, the rationale provided in the rejection of claims 33-35 is incorporated herein.

**Claim 41**, Neill teaches displaying a source image (displaying selected characters from the standard set; col. 11, line 21-22); displaying a transition image (the sequence of images on display in morphing of a first image to a second image; col. 12, lines 10-11); and displaying a destination image (the sequence of images results in an animated display (col. 12, line 13).

**Claim 42**, the rationale provided in the rejection of claim 37 is incorporated herein.

### ***Claim Rejections - 35 USC § 103***

7. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

8. Claims 2, 10-16, 20, 21, 23-25 and 36 are rejected under 35 U.S.C. 103(a) as being unpatentable over Cohen et al. (5,353,391) in view of Neill (6,411,338).

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**Claim 2**, Cohen does not animation style; however, Neill et al. teaches selecting an animation style (displaying animated images or of morphing between two images; col. 4, lines 2-3); generating a source image output as a function of the source value (creating a first list of position of pixels of a given color in the first image; col. 3, lines 16-17); generating a plurality of transition image outputs as a function of the transition sequence (creating intermediate list of positions of pixels from calculating the position of each pixel in intermediate images between the first and second images); and generating a destination image output (intermediate image) as a function of the destination value (col. 3, lines 24-28). It would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the animate images taught by Neill's method into the method for generating transition between sequence images of Cohen's teaching for displaying images, because displaying animated images between images, it would provide an attractive transition from one title to another on screen display (col. 4, lines 2-12). Further, **Claim 10**, Neill teaches the source value is chosen from a set of possible source values (a list of positions of pixels of a given color in the first image); wherein the destination values is chosen from a set of possible destination values (a list of positions of pixels of a given color in the second image; col. 3, lines 16-19). **Claim 20**, Neill teaches the source value and the destination value are the same (the size of the array is held constant; col. 6, lines 13-38). **Claim 21**, Neill teaches the source value comprises a plurality of display objects (col. 11, line 17 through col. 12, line 6). **Claims 24 and 36**, Neill teaches displaying a source image (displaying selected characters from the standard set; col. 11, line 21-22); displaying a transition image (the

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sequence of images on display in morphing of a first image to a second image; col. 12, lines 10-11); and displaying a destination image (the sequence of images results in an animated display (col. 12, line 13).

**Claim 11**, Cohen teaches providing a transition from each of the set of possible source values to each of the set of possible destination values (col. 34, lines 65-68).

**Claims 12 and 23**, Cohen teaches providing a plurality of transition styles (the user creates a plurality of transition sequences; col. 10, lines 15-16).

**Claim 13**, Cohen discloses a graphics display device (a liquid crystal display; col. 6, lines 17-19); a memory (a static data storage 306; col. 6, lines 31-32); a timing unit; and a processing unit coupled to the memory (processor 302), the timing unit, and the graphics display device; wherein the processing unit is configured to provide a transition from a first static value to a second static value; wherein the transition is a function of the first static value and the second static value (col. 8, lines 50-68). Cohen does not teach time unit; however, Neill teaches a timing circuit which generates the timing signals (col. 5, lines 9-11). It would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the time unit taught by Neill's method into the method for generating transition between sequence images of Cohen's teaching for displaying images, because it would receive timing pulse to generate the timing signals (col. 5, lines 9-11).

**Claims 14 and 15**, Cohen teaches the processing unit is configured to vary the tempo of the transition styles from the first static value to the second static value (col. 8, lines 50-68).

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**Claim 16**, Cohen teaches a first image representing the first static value (still image) is displayed on the graphics display device (col. 8, lines 50-52).

**Claim 25**, Cohen et al. teaches the source image and the destination image are static images (col. 1, lines 12-39).

9. Claims 3-5 and 9 are rejected under 35 U.S.C. 103(a) as being unpatentable over Cohen et al. (5,353,391) in view of Heidmann et al. (6,057,833).

**Claim 3**, Cohen does not teach glyph; however, Heidmann et al. discloses receiving the source value further comprises receiving the source value including at least one glyph (selecting a set of glyphs; col. 4, lines 60-66; fig. 2). **Claims 4 and 5**, Heidmann et al. discloses generating the unique transition sequence includes manipulating the glyph (glyph may be popped onto a display or animated, draw more quickly and accurately; col. 5, lines 23-27). **Claim 9**, Heidmann et al. teaches the transition image is composed of glyphs (col. 2, lines 28-39; col. 14, lines 60-63). It would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the glyph taught by Heidmann's method into the method for generating transition between sequence images of Cohen's teaching for displaying images, because it would provide readily available icons which may be popped onto a display or animated so that they appear to be drawn, thus enhancing the aesthetic appearance of the display and enabling the user to draw more quickly and accurately (col. 5, lines 23-30).

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10. Claims 17, 19 and 26 are rejected under 35 U.S.C. 103(a) as being unpatentable over Cohen et al. (5,353,391) in view of Neill (6,411,338) and further in view of Browne et al. (6,504,545).

**Claims 17, 19 and 26**, Cohen does not teach glyph and sub-glyph; however, Browne et al. teaches the first image is made up of at least one glyph (col. 1, lines 52-53; col. 7, lines 26-27); the source value and destination value comprise a plurality of sub-glyphs (col. 7, lines 26-29); the source image (glyph and font structure), transition image (modified glyph) and destination image (animated font character) comprise a plurality of sub-glyphs (col. 7, lines 26-29). It would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the glyph and sub-glyph taught by Browne's method into the method for generating transition between sequence images of Cohen's teaching for displaying images, because providing a glyph representative of non-animated font character, it would provide animated font characters, which allow for the creation of animated text (col. 3, lines 27-28).

11. Any inquiry concerning this communication or earlier communications from the examiner should be directed to **Kimbinh Nguyen** whose telephone number is **(703) 305-9683**. The examiner can normally be reached **(Monday- Thursday from 7:00 AM to 4:30 PM and alternate Fridays from 7:00 AM to 3:30 PM)**.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mark Zimmerman, can be reached at (703) 305-9798.

Any response to this action should be mailed to:

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Commissioner of Patents and Trademarks

Washington, D.C. 20231

**Or faxed to:**

**(703) 872-9314 (for Technology Center 2600 only)**

Hand-delivered responses should be brought to Crystal Part II, 2121 Crystal Drive,  
Arlington, VA, Sixth Floor (Receptionist).

Any inquiry of a general nature or relating to the status of this application or  
proceeding should be directed to the Technology Center 2600 Customer Service Office  
whose telephone number is (703) 306-0377.

March 2, 2004

*Kimbinh Nguyen*

Kimbinh Nguyen

Patent Examiner AU 2671